

08/03/01  
JCS53 U.S. PTO

08-06-01

H

PENNIE & EDMONDS LLP DOCKET NO. 10001-136-999

Express Mail No.: EL 798 436 105 US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner P. Robinson

Art Unit 1653

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

JCS53 U.S. PTO  
09/22/01  
08/03/01

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/461,697 filed on December 14, 1999.

of Donald C. LO; Shawn BARNEY; Mary Beth THOMAS; Stuart PORTBURY; Kasturi PURANAM; and Lawrence C. KATZ  
(inventor(s) currently of record in prior application)

for COMPOSITIONS AND METHODS FOR DIAGNOSING AND TREATING CONDITIONS, DISORDERS, OR DISEASES INVOLVING CELL DEATH  
(title of invention)

1. ☒ The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	57	-20	37	\$18.00 each	\$ 666.00
Independent	8	-3	5	\$80.00 each	\$ 400.00
Basic Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 270.00
Total					\$ 2,046.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 1,023.00
Total Filing Fee					\$ 1,023.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a divisional of application no. 09/461,697, filed December 14, 1999, the entire contents of which is incorporated herein by reference in its entirety.

- 4a. ☒ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to COGENT NEUROSCIENCE, INC. DURHAM, NORTH CAROLINA 27704.
- 7a. ☐ A copy of the Power of Attorney filed in the prior application no. , filed is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. 09/461,697, filed on December 14, 1999 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. 09/461,697 is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosures or instructions. Preliminary Amendment is enclosed.

Respectfully submitted,

By: *Lawrence S. Graham* Reg. No. P-49,020

Date August 3, 2001

*Laura A. Coruzzi* 30,742

Laura A. Coruzzi (Reg. No.)  
 PENNIE & EDMONDS LLP  
 1155 Avenue of the Americas  
 New York, N.Y. 10036-2711  
 (212) 790-9090